

COURT OF INQUIRY FOR NOTTINGHAM

Colonel of 4th Virginia Regiment Faces Grave Charge.

MINISTER IS HIS ACCUSER

Chaplain W. G. Parker, Pastor of Park Place Methodist Church, Charge Colonel Nottingham With Using Vile and Profane Language While on Duty, in Speaking of Governor Mann and Officers of First Brigade.

Colonel Thomas J. Nottingham, commander of the Fourth Regiment of Infantry, Virginia Volunteers, faces a court of inquiry into his official conduct. It is expected that Governor Mann will today sign the papers constituting the court, which will hold its sessions in Richmond or in Norfolk in the near future.

The specific charges which have been made against Colonel Nottingham are of an official character and of the public use of vile language in speaking of his superior officers and other officers of the Virginia militia. The court was recommended by Brigadier-General C. C. Vaughan, Jr., commanding the First Brigade, Virginia Volunteers.

But the real evidence will come from Captain Rev. Walter G. Parker, pastor of the Park Place Methodist Church of this city, and chaplain of the Fourth Virginia Cavalry. Parker made an effort to have the service because he was unwilling to be associated with such an officer as Colonel Nottingham, but his resignation has been held in abeyance by Adjutant-General W. V. Sale pending determination of the accusations brought against the regimental commander.

The Two Antagonists.

Colonel Nottingham, who resides in Norfolk, is recognized as a man of violent temper and of bitter feelings in talking of those whom he dislikes. He was commissioned to his present position on February 20, 1909.

Rev. Walter G. Parker was made chaplain of the Fourth Virginia Cavalry (now General) C. C. Vaughan, Jr. He was then living in Norfolk, but has since become pastor of the Richmond church. He has always taken the keenest interest in military affairs and has had an army chaplaincy had in his mind.

One accusation which may or may not be made a point in the case against Colonel Nottingham is that the latter had used vile and insulting language during the camp at Gettysburg, Pa., in July, 1910, regarding Governor Mann while the latter was a visitor in camp.

Officers Denounced.

But the happenings which led to the court of inquiry which is now to be held, took place last August at Culpeper, Va. Here the antipathy of Colonel Nottingham, according to the official papers in the case, was mainly directed at General Vaughan and at the members of the latter's staff. An official statement to the effect that the camp of instruction at Culpeper had ended, Mr. Parker tendered his resignation as chaplain of the regiment, giving as his reason his dissatisfaction with conditions at the headquarters of the regiment. Colonel Nottingham returned with a request for an explanation. Such an explanation was given by Mr. Parker without mincing words and with particularity.

Colonel Nottingham then forwarded the resignation to General Vaughan with the recommendation that it be accepted at once, and with the further notation that the statements made by the chaplain were absolutely without foundation.

General Vaughan thought it but just to let Mr. Parker see this notation, and it was sent to the minister for his inspection. Mr. Parker does not seek a fight, but objects seriously to having the truthfulness of his charges assailed. He wrote out his charges with great circumstantiality, telling just what words were used by Colonel Nottingham in referring to other officers, what the occasion and who were present as witnesses. This went in to the commander-in-chief.

Later, Colonel Nottingham admitted the correctness of the charges. In part at least, but said that the remarks were made in the presence of members of his staff, whom he regarded as a family, and who should not have repeated them. Mr. Parker said in reply that on the occasion some eight or ten officers were present, and on another the conversation was had publicly at a meeting.

For months matters have dragged along, various attempts having been made to prevent a court of inquiry. However, each such effort has been overruled, and of recent weeks the court of inquiry, it is evident, has been inevitable. An attempt to avert such action will, it is understood, be made this morning by J. Branch Johnson, of Norfolk, attorney for Colonel Nottingham.

Work of Inquiry Centered.
A court of inquiry is composed of three members, together with a recorder, whose duties are somewhat similar to those of a judge advocate in a court-martial. The sittings of a court of inquiry may be public or executive, as the senior officer may direct, while those of a court-martial must be public. The results of the deliberations of a court of inquiry are made in the form of recommendations to the Governor and Adjutant-General, instead of as a verdict.

Rarely indeed is an inquiry asked for an officer of such high rank as Colonel Nottingham.

TELL HOW SCHOOLS OUGHT TO BE RUN

Three Teachers Give Investigating Committee Their Views.

TIRED MEMBERS INSIST ON RECESS

Sharp Tilt Between Chairman Pollock and Attorney George Bryan—Assistant Primary Superintendent Not Permitted to Be Represented by Counsel.

Having gravely heard evidence for nearly two hours last night as to whether it is desirable for the eight and ten-year-old pupils of the public schools to have some relaxation to the monotony of the six-hour daily school course, the Special Committee on Investigation of the Public Schools found it necessary to take a 20-minute recess in order that the members of the committee, the witnesses and those taking part in the inquiry, might refresh themselves by walking about the building. Four hours of diligent inquiry brought out nothing that was new, and nothing that was derogatory to the Richmond schools, three teachers of the primary grades giving in some details their views as to how the schools should be conducted.

Decide Against Miss Harris.
All of the evidence so far has related to the primary grades, those dealing with children from seven to twelve years of age. At the beginning of the session, the obvious necessity of varying their course with some light recreation, members of the committee and the spectators in the gallery, seriously suggested that the committee should adjourn in singing, drawing and physical exercises, which might better be devoted to the elements of education. A sharp tilt between Chairman Gilbert K. Pollock and Attorney George Bryan, who appeared for Miss E. L. Harris, assistant superintendent of the primary grades, served to enliven the session. The inquiry from the start had been directed against certain teachers, who, it has been charged, receive salaries far in excess of the value of the services rendered, and the committee supported Chairman Pollock in practically denying Miss Harris the right to be represented by counsel during the investigation.

Miss Mallonee Resumes Stand.
Miss E. L. Mallonee, of 2101 Grove Avenue, who had held her own on the witness stand with signal ability at a former session, was recalled for a further examination of two hours. She explained that her views as to the use of the group system of instruction, and read from a protest against manual training in the schools forwarded to the School Board, and Chairman Hutzler regretted in the recent fire in the School Board's headquarters, but the witness stated that an answer had been sent by the School Board explaining its reasons for introducing manual training in the schools.

Miss Mallonee's Stand.
Miss Mallonee said that she was doing too much reading to be thorough in her work; that the selections were beyond their comprehension, and that the time allotted for reading was more than sufficient.

Bill Examined.

Assistant Superintendent Albert H. Hill then took the witness, and in his cross-examination showed a close familiarity with the actual working of the schools. In answer to his questions, Miss Mallonee asserted that she did not know that the exercises in use here had been planned by a board of experts, 50 per cent. of whom were physicians, to give the children the right exercises for the right ages. Asked if she did not consider exercises scientifically planned after careful study for each age of development superior to merely leaving such matters to the teachers, she said that she did not have enough room for movements in her classroom, but admitted that it was necessary to have some form of exercises to relieve the monotony, and had no special objection to the program of exercises presented, save for the time consumed.

She Thought She Could Give Her Pupils Exercises Relaxing and Beneficial

In three minutes, which would clear their heads and help materially in the work of later classes, such as arithmetic and languages. She would not recommend the entire elimination of manual training from the schools, but would cut it out of the primary grades, though she admitted that it was a natural instinct of a child to attempt to draw.

Two Teachers at Hand Work.

Mr. Hill attempted to draw out the opinion of the witness as to the accepted opinion of educators on the development of hand and brain, but Miss Mallonee insisted that all time allotted in her grade to hand work was no more than a waste.

"What percentage of people make their living with their hands instead

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Governor Harmon Has Four New Cousins

Guthrie, Ohio, April 3.—Mrs. J. A. Thalguth, of this city, gave birth to four boys to-day. The babies are all alive and vigorous. The father of the children is a third cousin of Governor Judson Harmon, of Ohio.

FUGITIVE ALLENS MUST NOT BE FED

Governor Promises Punishment to Those Who Assist Them.

DETECTIVES PAY RICHMOND VISIT

Further Concealment Now Largely Matter of Food Supply—Dogs Will Be Used on Next Fresh Trail—Jasper Allen Suffers Stroke of Apoplexy.

Complete confidence in the final capture of the two remaining members of the Allen outlaw gang in Carroll county was expressed yesterday by Detectives W. G. Baldwin and Thomas L. Polts, who spent the morning in conference with Governor Mann. Sidna Allen and Wesley Edwards, they said, are unquestionably in the mountains, not a great distance from their homes, and while the task of the officers is one of almost incredible difficulty, it is inevitable that the lines shall continue to tighten, the food of possibility and sustenance be decreased, and the nerve of the fugitives be gradually lessened.

As a matter of course, the search will be continued until the persons of Sidna Allen and Wesley Edwards, dead or alive, are taken into Hillsville.

One result of the conference with the Governor was the issuance of a proclamation, intended to prevent the giving of aid and comfort to the fugitives on the part of those relatives and friends who live in and about the southern slopes of the Blue Ridge between Ward's Gap and Pipers' Gap.

Governor's Proclamation.

To Whom It May Concern: This is to notify all persons who give aid and comfort to Sidna Allen and Wesley Edwards, charged with the murder of Judge Justice, Commonwealth's Attorney Foster and Sheriff Webb, at Hillsville, on the 14th of March, 1912, by furnishing them with food, lodging, clothing, fuel, or in any way aiding, concealing, relieving, comforting, or assisting them, that instructions will be given to the proper officers of the State to arrest, try and upon conviction punish them to the extent of the law, that is, by fine and imprisonment.

The good citizens of the State, especially those residing in Carroll county and vicinity, are earnestly requested to give such information as they may from time to time acquire of the movements of Sidna Allen and Wesley Edwards to the officers engaged in their pursuit or to the attorney for the Commonwealth of Virginia, and to aid in every way the officers of the State in effecting the arrest of the fugitives.

Th people of Virginia are assured that no effort will be spared to arrest those charged with the crime at Hillsville, to give them a fair and impartial trial, and to execute whatever judgments may be rendered by the court.

(Signed) WM. HODGES MANN, Governor.

April 3, 1912.

As a result of this proclamation, which was telegraphed at once to Hillsville, an arrest was made on a charge of being an accessory. It is believed other persons will be taken into custody on a similar charge.

Task Is Difficult.

Mile after mile of Ivy and laurel and steep mountainsides every indication for concealment. As was shown by the experience of Fred Allen, the three fugitives were enabled to lie quietly for nine days in a lonely spot west of the Pipers' Gap Road, merely because they had food, lacking nourishment as it was, if they can get more food they can continue to hide, and only the merest chance, such as finding a needle in a haystack, can uncover them.

But as the days go by the people of the mountainside shake off their life-time (often inherited) fear of the Alleens. They know that a part of the clan is in jail, doomed to extinction. They know that the fugitives are but two in number and will inevitably be taken. So they show more and more inclination to aid the detectives and are less and less likely to feed and clothe the men upon whose heads the State has set a price.

Beginning with the capture of Claude Swanson Allen last Thursday, a season of the greatest activity began. Thomas L. Polts, who has a personal interest in the chase, in that he is a citizen of Carroll county and perhaps its largest taxpayer, returned to Hillsville that night. Early in the morning, without sleep, he left again, going through Fancy Gap and down to Floyd Allen's, on the southern slope of the Blue Ridge. Back again to Jasper Allen's he rode; and took Fred Allen, bringing him to Hillsville.

Two Trails at Once.

He tried to get two hours' sleep on Friday night, but was stirred, as was the town, by a message that important news was coming from the Ward's Gap neighborhood. Fred Weddle was the bearer of tidings that two men, supposed to be the fugitives, had been seen leaving his stable. Mr. Polts had plans in another direction, and declined to abandon them entirely. So he took the next course—followed up both his clues, one after another. He rode out again at midnight.

Unquestionably the party must have been close upon one or the other of the missing men on Saturday. The receipt, the blanket, the tracks, show that the trail was hot.

Subsequent clues are probably of little value, although all are followed as a matter of course. The men are almost certainly in the mountains, in the opinion of the detectives. Fred said they considered themselves safer there, among people whom they knew

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MAN'S ADVANTAGE IN FLOOD BATTLE

Engineers Holding Ragging Waters Within Federal Lines.

STILL FIGHTING TO SAVE LEVEES

In Unprotected Districts Conditions Are Serious—Thousands Have Been Driven From Homes, and Their Care Is Grave Problem—Lack of Labor Hampers Work.

Flood Situation

At Hickman, Ky., Factory district swamped; 2,000 homeless; justice section nearly inundated; residence section safe; 1,000 homeless, rescued Dorcena, Mo., community, being cared for; food supply sufficient for three more days; prompt aid from outside world badly needed to avert calamity; country about Hickman practically an inland sea; damage \$150,000 or more.

At Memphis, Tenn.: Eighteen to twenty-five blocks in north part flooded; 1,200 driven from homes; street cars trapped in northern suburbs operating irregularly; underhanding; charitable organizations rendering aid to hundreds; gas supply exhausted; water and lighting system probably safe; damage, \$250,000 or more (conservative estimate).

At New Madrid, Mo.: Menagerie report; town flooded; no loss of life reported; damage not estimated.

At Columbus, Ky.: Part of town flooded; residents moving out rapidly; suffering in outlying districts; damage in vicinity, 100,000 present acres (estimated).

Extent of flood over farm land in Missouri, Kentucky, Tennessee, Arkansas and Mississippi unprotected by levees estimated at \$300,000 or more.

Extent of danger zone over farm land not now being killed because of fear of levee break, \$60,000 acres (conservative estimate).

Memphis, Tenn., April 3.—Men claimed the advantage in to-day's battle with the Mississippi River flood. Twelve hours of warm sunshine has aided in the fight, and to-night government engineers declared that with the stage at Memphis not exceeding forty-five feet, the latest estimate, the water will be held within the Federal lines.

The river, however, is rising slowly but steadily, and at 7 o'clock to-night showed a stage of 43 feet, a rise of six-tenths for twenty-four hours and three-tenths since 1 o'clock this morning.

S. C. Emery, in charge of the local weather bureau, is not so optimistic as the government engineers. He expresses grave doubts as to the ability of the banks to hold the torrent, and urged local managers of the railroads entering the city from the west to warn the inhabitants of the territory along the levee back of the levees to move immediately to higher ground, as a precautionary measure.

Except for the collapse of the De-gonia and Fountain Bluff levees in Illinois, no breaks occurred to-day, and dispatches from the points regarded as dangerous are reassuring. West of Hickman, the levee level, which protects Reelfoot Lake and several populous counties, is holding; at Linda, Mo., where the bank began to crack yesterday, an auxiliary levee has been completed, and along the White River front in Arkansas, the work of bolstering up the embankment is progressing satisfactorily.

Conditions Are Serious.
This much pertains to territory protected by levees maintained by the government. In the lowlands outside the levees and where private embankments have given way, conditions are serious. Hickman, Ky., now flooded, Mo., and Columbus, Ky., are flooded. The levee is crippled and with refugees pouring into this and other centers, the question of caring for them with a limited amount of special train service with provisions, a grave problem. Aid is en route from the points, and by to-morrow it is promised that train service will be at least partially restored.

In the flooded northern section of the Mississippi situation is acute. The city's gas supply has been cut off and the sewage system of that district is out of commission. Refuse is running into the overflow, which covers a wide area. To-night Bayou Gaxoso is over the banks on Poplar Avenue, within three-quarters of a mile of the principal business district of the city.

In many streets water is standing to a depth of six or seven feet, and thoroughfares which up to a few days ago were thick with vehicles are now a mass of water, with here and there a skiff or frail raft moving about with residents endeavoring to rescue their submerged belongings. Every hour the water is making further encroachments.

Difficult to Secure Labor.
Lack of labor is hampering the work of combating the river. Where the water is mounting to the levee crests, farmers are awed and can give little aid, while the forces gathered in the cities are far below the requirements.

The upper St. Francis levee district is regarded as the principal point of danger now north of Memphis, except for a short strip of levee directly above the city. To-morrow the government engineers will concentrate their efforts at the latter point and the sloughing embankment will be strengthened. Along the White River front the full effect of the great volume of water will not be felt for several days.

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Another Aviation Victim



CALBRAITH P. RODGERS.

WILSON DEFENDS HIS DEPARTMENT REBEL SOLDIERS SENT SCURRYING

Secretary of Agriculture Presents His Version of Suppressed Everglades Report.

HE ORDERED IT DISCONTINUED FEDERAL TROOPS GIVE CHASE

"Gotten Up by Young Man," It Was "Nothing to Be Proud Of"

Washington, April 3.—Secretary of Agriculture James Wilson, whose attitude toward the Florida everglades drainage project resulted in an investigation of the subject by the House Committee on Expenditures in the Agricultural Department, to-day defended the department's actions in connection with reports on the everglades. He denied categorically and in detail that any one had approached him either directly or indirectly with any proposal to suppress any department information on the subject with an improper motive. The secretary said that Major J. O. Wright's favorable report on the everglades, which has been used by land companies in selling their lands, Mr. Wilson said, had been given out without his consent. As to the department circular, which was suppressed, the secretary said it was "in defiance of the authority of the department" that it was issued, and was not "such as to reflect credit on the department."

Secretary Wilson outlined the proceedings with some scotch humor, and said his respects to Representatives Clark and Bathrick, who put the investigation afoot. The circular which was suppressed, Secretary Wilson said, was "nothing to be proud of" and "nothing to reflect credit on the department."

"It was gotten up by a young man," said the secretary, "and what's the use of finding fault with a young man. I am provoked and ordered it discontinued. Representative Clark called on me and wanted to know why. I was kind to Mr. Clark, but his testimony here and that of his two witnesses was agreed upon, and I would not contradict a witness who had agreed on a testimony with 100 per cent. for accuracy."

Representative Bathrick asked a question. "Who is this man?" demanded Secretary Wilson.

"Representative Bathrick, of Ohio, replied the chairman. "Oh, I see," responded the secretary. "This is the man who corresponded with me about his potato ranch in Florida. May I suggest that if Mr. Bathrick had followed up on that potato farm in Florida he might have become a public benefactor."

Mr. Bathrick protested that this was not pertinent to the inquiry. "I merely wanted to talk potatoes to you," he said.

The House resumed the session and the committee smiled at the way Mr. Bathrick's interests in Florida had been gotten into the record.

At the conclusion of Mr. Wilson's testimony the Everglades investigation hearings were adjourned. The committee will now formulate its report.

Change in Reports Proposed.
Washington, April 3.—The Senate Committee on Agriculture to-day ordered favorably reported a bill introduced by Senator Smith, of South Carolina, which would require the director of the Census, in connection with the ginners report of cotton production, to publish the domestic and foreign consumption of cotton of American production; the surplus held by cotton manufacturers of the United States and the exports.

The bill directing the Secretary of Agriculture to report in July instead of June each year the acreage planted to cotton was ordered favorably reported by the Senate Committee on Agriculture to-day.

Would Limit Injunctions.
Washington, April 3.—Democratic leaders of the House Judiciary Committee to-day agreed to report a bill relating to restraining orders and injunctions, in accordance with the direction of the Democratic platform adopted at the Denver convention in 1908.

The bill would provide that no injunction, whether interlocutory or permanent, be issued by any Federal court without previous notice and an opportunity to be heard on behalf of the enjoined, with certain exceptions. The terms of the bill must appear to the satisfaction of the court from the evidence shown that immediate action is required.

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RODGERS MEETS INSTANT DEATH IN FALL FROM SKY

Loses Control of Machine and Is Dashed to Earth.

HIS NECK BROKEN AND BODY MASHED

Famous Aviator Ends Career Within 500 Feet of Spot Where He Finished First Ocean-to-Ocean Flight and Was Claimed World's Greatest Aerial Hero.

Long Beach, Cal., April 3.—Calbraith P. Rodgers, the first man to cross the American continent in an aeroplane, was killed here almost instantly late to-day, when his airplane, soaring from over the ocean, fell from a height of 200 feet and buried him in the wreck. His neck was broken and his body badly mangled by the engine of his machine. He lived but a few moments.

Rodgers for a week past had been making daily flights here, and had taken up with him many passengers, both men and women. To-day he started from his usual place and soared out over the ocean. Crossing the pier, he turned and dipped close to a roller coast in a beach amusement park.

Seeing a flock of gulls disporting themselves among a great shoal of sardines just over the breakers, Rodgers again turned and dived down into them, scattering the seaweed in all directions.

Highly elated with the outcome of his dive, Rodgers then flew further out to sea, all the time gradually rising until he had reached a height of about 200 feet. Making a short turn, he started at full speed for the pier, then suddenly dipped his planes, and his machine began a graceful descent. Rodgers was seen by hundreds of persons on the pier when he relaxed his hold on the levers, and then, seemingly realizing that he was in danger, he made strenuous efforts to pull the nose of his machine into a level position. Falling in this, he managed to turn his craft further shore, and an instant later the craft crashed into the edge of the surf, not 500 feet from the spot where, on December 10 last, he had finished his ocean-to-ocean flight. Many men rushed to his aid.

Ernest Scott and James Goodwin, life guards, were the first to reach him. They said Rodgers' head was hanging over one wing of the machine, the heavy engine was on his back, and his feet were drawn up, nearly doubling over his shoulders. Blood was flowing from his mouth.

Rodgers was lifted from the wreck and hurried to the bath house hospital. Examination showed that Rodgers' lower jawbone and back had been broken.

A telegram was sent to the aviator's widow, who lives in Pasadena, Cal., and a cablegram to his mother, Mrs. H. S. Schweitzer, who is now in London.

The body was prepared for burial and sent to Pasadena to-night.

The machine that Rodgers used to-day was one which he had won \$15,000 in prizes last July at the Chicago endurance meet. It is a total wreck, its parts having been swept out to sea by the tide.

Mourning by Aero Club.

New York, April 3.—Members of the Aero Club of America received the news of Calbraith P. Rodgers' death to-night with expressions of regret. After his epoch-making flight across the continent he was tendered a banquet by the Aero Club and honored with a gold medal.

Rodgers' transcontinental flight, begun at the Shenandoah, Va., race-track, Brooklyn, September 17, 1911, was marked on the second day out by a crash into a tree, and when within sight of Long Beach, U. S., his goal, he had a fall which laid him up for nearly a month. Interspersed with long delays due to adverse weather, made it a hard job, and nearly three months before, on December 10, 1911, Rodgers finally landed at Long Beach and was acclaimed the world's aviation hero. His persistence and nerve had carried him a distance of more than 3,000 miles.

Although Rodgers lived much of the time here, his home was in Havre de Grace, Md., where he leaves a mother, whose enthusiasm over the fame which her son won was always a source of regret with fear that eventually he would meet some such death as came to him to-day. His first fall in the tree near Middletown, N. Y., his mother journeyed there to plead with him to give up the flight, but he assured her that he would be cautious, and proceeded.

Rodgers had often talked of the deaths of other aviators. "Ethelred Ashby," he said, "was a brave man and been the trouble with many. He said, 'It licks in the pockets of the upper strata and creeps irresistibly upon the senses of a man, making him fall into a dreamy unconsciousness.'"

Rodgers' death makes 17 aeroplane fatalities since aviation began. He is the twenty-second American aviator to be killed.

MINER ENTERS POLITICS

Thomas L. Lewis Will Run for Congress in Ohio.

Bridgeport, O., April 3.—Announcement was made here to-day of the candidacy of Thomas L. Lewis, former president of the United Mine Workers of America, for the Republican nomination for Congress in the Sixteenth Ohio District. There are 12,000 union miners in the district. When Lewis was defeated for another term as head of the miners' union by John P. White last year, he returned to his home here and secured work as a miner.

WILL LIE IN STATE TO-DAY

Body of Senator Taylor Is Taken to Nashville.

Chattanooga, Tenn., April 3.—Surrounded by all those who were nearest and dearest to him in life, the body of the late Senator Robert Love Taylor, of Tennessee, passed through Chattanooga late to-day on route to Nashville, where it will lie in state to-morrow.

The funeral train should reach Nashville about midnight.

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